REMARKS

This response is intended as a full and complete response to the final Office Action mailed June 2, 2005. In the Office Action, the Examiner notes that claims 1-15 are pending of which claims 1-15 stands rejected. By this response, claims 1, 5, 10, 12 and 14-15 are amended. The claims 2-4, 6-9, 11 and 13 continue unamended.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are anticipated or obvious under the provisions of 35 U.S.C. §102 and §103.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

OBJECTIONS

IN THE SPECIFICATION

The Abstract has been amended to overcome the Examiner's objection because the abstract, as filed, exceeded the maximum word length of 150 words. The amended Abstract includes fewer than 150 words.

REJECTIONS

35 U.S.C. §102

Claims 1 and 10

The Examiner has rejected claims 1 and 10 under 35 U.S.C. §102(e) as being anticipated by Butler et al. (US20020007493A1, hereinafter "Butler"). Applicants respectfully traverse the rejection.

Independent claims 1 and 10 recite features of Applicants' invention that Applicants considers to be inventive. In particular, independent claim 1 (similarly claim 10) recites:

> 1. A display generator for a combined display of a graphics image and a television video image, said graphics image being defined by an HTML syntax, said television video image being derived from a real time television signal, said display generator comprising:
>
> a programmed processor responsive to said HTML syntax for parsing, layout and rendering said graphics image to form a rendered graphics image;
>
> a graphics memory for storing said rendered graphics image;
>
> a television video receiver responsive to said real time television signal, said television video receiver having an output forming said television video image;
>
> a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image; and
>
> a video combiner responsive to said graphics memory and said television video receiver for combining individual pixels of said rendered graphics image stored in said graphics memory with respective individual pixels of said television video image to form respective individual pixels of said combined display of said graphics image and said television video image, wherein said rendered graphics image and said television video image are from different sources. (emphasis added).

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim (emphasis added). The Butler reference fails to disclose each and every element of the claimed invention, as arranged in the claim.

Butler associates a hyperlink overlay with a video program. To accomplish this task, the video pixels overwrite the bit-mapped pixels where the areas of display image are a specific color. Because the background of the web page is set to a specific color, the user will be able to view the video program

while the hyperlinks appear over the program. As a result, the viewer may click on the link that appears over the video program for more information. This strategy allows the viewer to watch a program which includes hyperlinks or "hot spots."

Butler does not disclose adjusting transparency of pixels from different sources. Specifically, Butler is silent on "a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image", and "wherein said rendered graphics image and said television video image are from different sources." The cited reference fails to teach each and every element of the claimed invention as arranged in the claim.

As such, Applicants submit that independent claims 1 and 10 are not anticipated and fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

35 U.S.C. §103

Claims 2 and 11

The Examiner has rejected claims 2 and 11 under 35 U.S.C. §103(a) as being unpatentable over Butler in view of Mugura et al. (US006243142B1, hereinafter "Mugura"). Applicants respectfully traverse the rejection.

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added). The Butler and Mugura references singly or in combination fail to teach or suggest Applicants' invention as a whole.

Claims 2 and 11 depend, respectively, from independent claims 1 and 10. For at least the reasons set forth above with respect to independent claims 1 and 10, the Butler reference fails to teach or suggest Applicants' invention as a whole.

The Mugura reference fails to bridge the substantial gap between the Butler reference and Applicants' invention. In particular, Mugura discloses "on screen menu having differing transparency levels... Different levels of transparency are applied to the different electronic menu components. The different levels of transparency are applied to the components so that the number of opaque components is minimized and the background is highly transparent." (See Column 16, lines 29-40). Mugura does not disclose teach or suggest adjusting the transparency of pixels from different sources. Nowhere in Mugura is there any teaching, or even suggestion of "a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image;" and "wherein said rendered graphics image and said television video image are from different sources." Rather, Mugura merely discloses selecting level of transparency applied to the electronic menu display. Therefore, Mugura fails to teach or suggest Applicants' invention as a whole.

As such, Applicants submits that claims 2 and 11 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claims 3 and 4

The Examiner has rejected claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over Butler in view of Lawler et al. (US005907323A, hereinafter "Lawler"). Applicants respectfully traverse the rejection.

The Butler and Lawler references singly or in combination fail to teach or suggest Applicants' invention as a whole.

Claims 3 and 4 depend from independent claim 1. For at least the reasons set forth above with respect to independent claim 1, the Butler reference fails to teach or suggest Applicants' invention as a whole.

The Lawler reference fails to bridge the substantial gap between Butler and Applicants' invention. In particular, the Lawler reference discloses an interactive system user interface images or graphics to be displayed along video or broadcast video. (column 4, line 64 to column 5, line 11). Lawler does not disclose, teach or suggest adjusting the transparency of pixels from different sources. Nowhere in the Lawler reference is there any teaching, or even suggestion of "a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image;" and "wherein said rendered graphics image and said television video image are from different sources." Rather, the Lawler reference merely discloses resizing and repositioning videos within an interface. Therefore, the Lawler reference fails to teach or suggest Applicants' invention as a whole.

As such, Applicants submits that claims 3 and 4 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claims 5-9 and 12-15

The Examiner has rejected claims 5-9 and 12-15 under 35 U.S.C. §103(a) as being unpatentable over Butler in view of Kanungo (US20030056215A1, hereinafter "Kanungo") and Kurita et al. (US005970511A, hereinafter "Kurita"). Applicants respectfully traverse the rejection.

The Butler, Kanungo and Kurita references singly or in combination fail to teach or suggest Applicants' invention as a whole.

Independent claims 5 and similarly 12 recite:

> 5. A display generator for a combined display of a graphics image and a television video image, said graphics image being defined by an HTML syntax including a television video HTML statement defining a television video HTML object, said television video image

being derived from a real time television signal, said display generator comprising:

a television video receiver responsive to said real time television signal, said television video receiver having an output forming said television video image;

a programmed processor responsive to said HTML syntax for parsing, layout and rendering said graphics image to form a rendered graphics image,

a graphics memory for storing said rendered graphics image;

a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image; and

a video combiner responsive to said graphics memory and said television video receiver to combine individual pixels of said rendered graphics image stored in said graphics memory with respective individual pixels of said television video image, said video combiner further responsive to said television video HTML statement to position said television video image in said graphics image to form said combined display, wherein said rendered graphics image and said television video image are from different sources. (emphasis added.)

Nowhere in Butler is there any teaching or suggestion of "a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image;" and "wherein said rendered graphics image and said television video image are from different sources." Butler merely associates a hyperlink overlay with a video program. As a result, the viewer may click on the link that appears over the video program for more information. Since the Butler reference fails to teach or even suggest "a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image;" and "wherein said rendered graphics image and said television video image are from different

sources." The cited reference fails to teach each and every element of the claimed invention as arranged in the claim.

Therefore, the Butler reference fails to teach or suggest Applicants' invention as claimed in independent claims 5 and 12 as a whole. Claims 6-9 and 13-15 depend directly or indirectly from independent claims 5 and 12 and recite additional limitations thereof. Therefore, for at least the same reasons discussed above with respect to independent claims 5 and 12, dependent claims 6-9 and 13-15 also are patentable and non-obvious over Butler.

The Kanungo and Kurita references alone or in combination fail to bridge the substantial gap between the Butler reference and Applicants' invention. Kanungo and Kurita references do not disclose, teach or suggest adjusting the transparency of pixels from different sources as claimed. In particular, the Kanungo reference discloses that applets could be used to generate certain areas on the web page and video data can be displayed in video area. [0050] The Kurita reference discloses HTML standard to call or load a video (See FIG. 7 and FIG. 8, B). The Kanungo and Kurita references singly or in combination fail to disclose or suggest Applicants' claimed "a controller coupled to said program processor and responsive to user inputs comprising transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image;" and "wherein said rendered graphics image and said television video image are from different sources." Therefore, the Kanungo and Kurita references singly or in combination fail to teach or suggest Applicants' invention as a whole.

For at least the reasons discussed above, independent claims 5 and 12 are non-obvious and patentable under 35 U.S.C. §103(a) over Butler in view of Kanungo and Kurita. For at least the same reasons, dependent claims 6-9 and 13-15 which depend directly or indirectly from independent claims 5 and 12 are also non-obvious and patentable under 35 U.S.C. §103(a) over Butler in view of Kanungo and Kurita. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

OFFICIAL NOTICE

The Examiner takes numerous Official Notices in the Office Action the HTML and its commands are well known. Applicant hereby traverses each Official Notice. The Examiner alleges that apparatuses and/or methods recited in certain claims are well known in the art. However, the Applicant believes that these apparatuses and/or methods rejected by the Examiner using Official Notice are not well know within the specific art of the present invention as recited in the pending claims. The allegedly well known limitations are not well known to be used in combination with limitations of the present claims in which they are found or in claims from which they depend.

CONCLUSION

Thus, Applicant submits that the claims are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Eamon J. Wall or Jasper Kwoh at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

10/27/05

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